

United States District Court

for

District of Guam

Report on Offender Under Supervision

Name of Offender: **Michael Leon Nesbitt** Case Number: **MJ 07-00006-001**

Name of Sentencing Judicial Officer: Joaquin V.E. Manibusan Jr.

Date of Original Sentence: June 26, 2007

Original Offense: Entering Military, Naval or Coast Guard Property, in violation of 18 U.S.C. §1382

Original Sentence: One year probation with the following special conditions: that he is prohibited from incurring new credit charges or opening additional lines of credit without approval from the U.S. Probation Office unless he is in compliance with the payment schedule; that he provide the U.S. Probation Office access to any requested financial information; that he perform 100 hours of community service under the direction of the U.S. Probation Office; that he pay a \$10 special assessment fee and pay \$50 restitution jointly and severally with Rafel Nesbitt.

Type of Supervision: Probation

Date Supervision Commenced: June 26, 2007

NONCOMPLIANCE SUMMARY

Violation Number Nature of Noncompliance

1. Arrest for Fourth Degree Criminal Sexual Conduct, in violation of 18 U.S.C. §3563.

On October 4, 2007, Michael Leon Nesbitt was arrested for the offense of Criminal Sexual Conduct. Guam Police Department Report Number KY07-27768, and Superior Court of Guam Magistrate's Complaint in Criminal Case Number CM 0772-07 outlined the offense as follows:

On October 4, 2007, Guam Police Department investigated a compliant made by an eight year old female minor A.J.C. through the assistance of her mother. The minor indicated that the defendant touched her buttocks the night before while visiting the family at their residence. During the course of the evening, the defendant met the minor in the hallway of the home leading to the restroom. The minor indicated that Nesbitt gave her a hug and squeezed her right buttock with his left hand.

Nesbitt provided a written statement and acknowledged hugging the minor and denied ever touching her buttocks.

Nesbitt was arrested for the offense of Criminal Sexual Conduct. He was booked and confined. On October 5, 2007, he appeared before Judge Alberto Lamorena III and formally charged with Fourth Degree Criminal Sexual Conduct. He was released on a financial bond with conditions. Criminal trial setting is scheduled for October 31, 2007 at 10:00 a.m.

This report is for informational purposes only. It is respectfully requested that no action be taken at this time.

Reviewed by:

 /s/ CARMEN D. O'MALLAN
U.S. Probation Officer Specialist
Supervision Unit Leader

Date: October 29, 2007

by:

 /s/ GRACE D. FLORES
U.S. Probation Officer

Date: October 29, 2007

THE COURT ORDERS

No Response is necessary unless the court directs that additional action be taken as follows:

- Submit a Request for Modifying the Condition of Term of Supervision
- Submit a Request for Warrant or Summons
- Other Condition suspended as recommended



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Nov 02, 2007